

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 566 – HB 1293

April 8, 2019

**SUMMARY OF ORIGINAL BILL:** Changes, from March 1 to March 15, the annual date by which the Commissioner of the Department of Health (DOH) must file a report with the Health and Welfare Committee of the Senate and the Health Committee of the House of Representatives on the outcome of the Controlled Substances Database program with respect to its effect on distribution and abuse of controlled substances.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (007754):** Deletes all language after the enacting clause. Requires the Commissioner of the DOH or the Controlled Substance Database Committee (Committee) to release confidential information from the Controlled Substance Database (Database) to the Attorney General and Reporter (AG) upon request. Authorizes the AG to disclose the confidential data to various designees associated with an investigation or litigation, for the purpose of reviewing, querying, or otherwise using the data in conjunction with investigating or litigating a civil action involving controlled substances.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 53-10-308(a)(3), the Commissioner of the DOH or the Committee is required to release information from the Database when ordered by a court to do so upon the court's finding that disclosure is necessary for the conduct of proceedings before the court regarding the investigation, adjudication, or prosecution of a violation under any state or federal law that involves controlled substances and after an appropriate protective order is issued regarding the information to be released to the court.
- Requiring the Commissioner of the DOH or the Committee to release confidential information from the Database to the AG will not have a significant impact on the

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procedures or processes of the DOH or the AG; therefore, any fiscal impact is estimated to be not significant.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/vlh